

February 28, 1990 LB 315, 1062

SENATOR MORRISSEY: My question is, what is your problems with this amendment?

SENATOR BERNARD-STEVENS: The Chambers amendment or the Wehrbein amendment?

SENATOR MORRISSEY: Both, both. Quickly now.

SENATOR BERNARD-STEVENS: I can't do quickly, and I am going to have to take at least a minute, you know that.

SENATOR MORRISSEY: Take a minute.

SENATOR BERNARD-STEVENS: Okay. In essence, one of the things that we have is in the bill that we had, LB 1060 that was agreed to, LB 1062, whatever number it was, we have a policy set up that would test on the state level.

SENATOR MORRISSEY: Right.

SENATOR BERNARD-STEVENS: Okay, one of the things we did two or three years ago, we passed another bill that said in Nebraska that if there is alcohol content, for example, found in the urine but not in the blood that it doesn't apply, you cannot terminate the employee because of that. One of the things that would happen with the Wehrbein amendment, number one, if you look at LB 1062 that was passed, the railroads would have to do nothing different to my knowledge under LB 1062 than they do under the federal but what does happen, if they are exempt from the state regulations at this point, then they do not have to abide by the 562 and the other policies that they are now doing that we are working so well with, and it does cause problems on that other end.

SENATOR MORRISSEY: Okay, so how are these employees, what are they subject to, the employees that aren't covered by the federal regs, what then...what testing standards are they subject to?

SENATOR BERNARD-STEVENS: On the railroads...

SENATOR MORRISSEY: Railroad employees...

SENATOR BERNARD-STEVENS: On just a regular employee in the